

SMB
7/24/08

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED

2008 JUL 24 AM 9:54

UNITED STATES OF AMERICA,

Plaintiff,

v.

Catherine Ann MIRANDA

Defendant.

'08 MJ 2243

Magistrate Case No.

CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

[Signature] DEPUTY

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section
1324(a)(2)(B)(iii)-
Bringing in Illegal Alien(s)
Without Presentation

The undersigned complainant being duly sworn states:

On or about **July 23, 2008**, within the Southern District of California, defendant, **Catherine Ann MIRANDA** with the intent to violate the immigration laws of the United States, knowingly and in reckless disregard of the fact that an alien, namely, **Maria Teresa PAEZ-Vazquez**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien, and upon arrival did not bring and present said alien immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

[Signature]
SIGNATURE OF COMPLAINANT
Alfredo Loperena, Enforcement Officer
U.S. Customs and Border Protection

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **24TH** DAY OF
JULY, 2008.

[Signature]
UNITED STATES MAGISTRATE JUDGE

3MB
7/24/08

PROBABLE CAUSE STATEMENT

The complainant states that **Maria Teresa PAEZ-Vazquez** is a citizen of a country other than the United States; that said alien has admitted she is deportable; that her testimony is material; that it is impracticable to secure her attendance at trial by subpoena; and that she is a material witness in relation to this criminal charge and should be held or admitted to bail pursuant per Title 18, United States Code, Section 3144.

On July 23, 2008, at approximately 0042 hours Catherine Ann MIRANDA (Defendant) applied for entry into the United States from Mexico through the San Ysidro Port of Entry. Defendant was the driver and sole visible occupant of a grey 1990 Pontiac Transport. Defendant presented a State of Pennsylvania birth certificate and a State of California identification card bearing her name and likeness as proof of citizenship and admissibility to a Customs and Border Protection (CBP) Officer. Defendant stated she was going to San Diego and had nothing to declare. Defendant stated her friend was the owner of the vehicle. The CBP Officer noticed Defendant would not make eye contact with her and noticed Defendant's hands were shaking. The CBP Officer elected to escort Defendant and the vehicle to secondary for further inspection.

In secondary, a CBP Canine Enforcement Officer (CEO) screened the vehicle with his service canine. The service canine alerted to the undercarriage of the vehicle, indicating the presence of contraband. A CBP Officer subsequently discovered what appeared to be a non-factory compartment attached to the undercarriage of the vehicle. An access panel was discovered in between the driver and front passenger seats. CBP Officers removed the vehicle's driver and front passenger seats, removed the upholstery, lifted the access panel and discovered two Hispanic females concealed in the compartment. The two Hispanic females were identified as **Maria Teresa PAEZ-Vazquez** and **Ana GONZALEZ-Correa**. Both females admitted being citizens of Mexico with no documents or entitlements to enter or reside in the United States. **Maria Teresa PAEZ-Vazquez** was held as a Material Witness (MW) in this case.

During a videotaped proceeding, Defendant was advised of her Miranda Rights. Defendant acknowledged her rights and elected to answer questions without an attorney present. Defendant admitted knowledge of the smuggling act. Defendant admitted she was to deliver the vehicle to the Burger King in Otay Mesa. Defendant stated she was to deliver the vehicle to an unknown man and then receive a ride back to the border and return to Mexico. Defendant stated she was to receive \$1,000.00 (USD) for smuggling undocumented aliens into the United States. Defendant admitted knowing that alien smuggling is against the law.

During separate videotaped interview, Material Witness (MW) admitted being a citizen of Mexico with no documents to enter or reside in the United States. MW stated she was going to Los Angeles, California to seek employment. MW stated she was to pay \$5,000.00 (USD) to be smuggled into the United States.